T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			28-Nov-05	APPL. S. N:	10755039					
To Exam	ner:		JOHNS, ANDREW W.	Art Unit	2621					
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: 0 Drop-Off Location	JEF-2D68					
SUBJECT	Γ: Decisio	n on Te	erminal Disclaimer(T.D.) filed:							
form para or have a	agraphs io	dentifie	d by this informal memo in your r ease see me or the Special Progra	next Office action to notify app am Examiner. THIS IS AN INFO						
please in	itial, date	and re	turn this memo to me. THANK YC	OU.						
$oldsymbol{\square}$	The T.D.	is PRO	PER and has been recorded (see 2	14.23).						
	The T.D.	is NOT	PROPER and has not been accept	ted for the reason(s) checked t	pelow (see 14.24):					
			fee of has not been sul a deposit account	bmitted nor is there any autho	rization in the application file for the					
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).								
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
		The pe	rson who signed the T.D.:		•					
			is not an attorney "of record" (see 14.29 and 14.29.01).						
			has failed to state his/her capa	acity to sign for the business er	ntity (see 14.28).					
			is not recognized as an officer	of the assignee (see 14.29 & p	ossible 14.29.02).					
		nor is to	the reel and frame number specifi 7 CFR 3.73(b) and 1140 O.G. 72)	ied as to where such evidence . NOTE: This documentary evid	(s) to assignee has been submitted, is recorded in the Office dence or the specifying of the reel ar rd in the application (see 14.30).	nd				
		The T.I	D. is not signed (see 14.26 & 14.2	26.03).						
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).								
		The pe	riod disclaimed is incorrect or not	specified (see 14.26, 14.27.0	2 or 14.26.03).					
		Other:			2					
			stion to request refund (see 14.36 not check this item.	5). NOTE: If already authorized	I, credit refund to deposit account					
I have ap	propriate	ly notif	ied applicant(s) of the status of th	ne Terminal Disclaimer filed in	this case.					
Ex.Initial	s:	······································	Date:		Log Date:					

Application Number	10/755,039		Applicant(s)/Patent under Reexamination JONES ET AL.					
Document Code - DISQ		Internal Do	cument – DC	ument – DO NOT MAIL				
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPPROVED					
Date Filed : November 28, 2005	to a Te	t is subject erminal aimer						
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Patent Application of:

Jones, et al.

Application No.: 10/755039

Confirmation No.: 8706

Filed: January 9, 2004

Art Unit: 2621

For: DOCUMENT PROCESSING SYSTEM AND

METHOD

Examiner: A. Johns

MS AMENDMENT Commissioner for Patents MS Amendment P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF MAILING

1 hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as first class mail in an envelope addressed to: MS AMENDIMENT, Commissioner for Patents, P.O. Box 1450,

Alexandria, VA 2/2313-1450

Margo Barbarash

Dear Sir:

TERMINAL DISCLAIMER

Petitioner, Cummins-Allison Corporation, is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Patent Nos. 6,647,136 and 6,603,872, and hereby agrees that any patent so granted on said above-captioned

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application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,647,136 and 6,603,872, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Your Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,647,136 and 6,603,872, in the event that any said issued patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

CERTIFICATION UNDER 37 C.F.R. 3.73(b)

I, the undersigned, certify that I am an individual empowered to act on behalf of petitioner, Cummins-Allison Corporation, the assignee of the entire right, title and interest of the above-captioned application by virtue of an assignment from the inventor(s) of said application.

I further certify that I have reviewed documents in the chain of title of the patent application identified above, that the Assignment has been recorded in the U.S. Patent and Trademark Office at Reel No. 8756, Frame 0984, dated October 9, 1997, that I have reviewed

the Assignment recorded at said reel and frame, and that to the best of my knowledge and belief title is in the above-noted assignee.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated:

Respectfully submitted

By/// Andre M. Szuwalski

Registration No. 35,701

JENKENS & GLICHRIST, A PROFESSIONAL

CORPORATION

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Attorneys For Applicant

PTO/SB/17 (12-04/2)
Approved for use through 7/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE to a collection of information unless it displays a valid QMB control number.

Effective on 12/08/2004.				Complete If Known					
Effect Fees pursuant to the Consolid			10/755039-Conf. #8706						
FFF TR			January 9, 2004						
FEE TRANSMITTAL						John E. Jones			
For	FY 200	<u> </u>		Examiner Name		A. W. Johns			
Applicant claims sma	all entity status.	See 37 CFR 1.2	7	Art Unit	- 2	2621			
TOTAL AMOUNT OF PA	YMENT	(\$) 130.00		Attorney Docket	No.	47171-003541	USD1		
METHOD OF PAYME	NT (check all t	hat apply)	······						
X Check Credit Card Money Order None Other (please identify):									
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For the above-ide			irector is						
	s) indicated bel		_	Charg	e ree(s) (na	icated below, e	xcept for the filing fee		
	additional fee(s		ment of	x Credit	any overpa	yments			
FEE CALCULATION		•							
1. BASIC FILING, SEARC	* •								
		G FEES Small Entity	SE	ARCH FEES Small Entity	EXAMIN	ATION FEES Small Entity			
Application Type	Fee (\$)	Fee (\$)	Fee (\$		Fee (\$)	Fee (5)	Fees Paid (\$)		
Utility	300	150	500	250	200	100			
Design	200	100	100	50	130	65			
Plant	200	100	300	150	160	80			
Reissue	300	150	500	250	600	300			
Provisional	200	100	0	0	0	0			
2. EXCESS CLAIM FEES							Small Entity		
Fee Description							Fee (\$)		
Each claim over 20 (inclu							50 25		
Each independent claim o Multiple dependent claim		g Keissues)					200 100 360 180		
		401	Eas f	and (e)	6.0.	stiple Depend			
<u>Total Claims</u> <u>Extra</u> 71 - 71 =	<u>a Claima</u> <u>F</u> x	ee (S)	1001	Pald (\$)			Fee Paid (\$)		
					<u>; v</u> .	2141			
Indep. Claims Extra	a Claims F	ee (\$)	Fee f	Paid (\$)			 		
6 .6•	× _	• _					•		
3. APPLICATION SIZE FE									
If the specification and d listings under 37 CFR	rawings excee	d 100 sheets o	of paper	(excluding electr	onically fil	ed sequence or	computer		
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	Extra Shoots				tion thereo	Fee (\$)	Fee Paid (\$)		
Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) - 100 = /50 (round up to a whole number) x									
4. OTHER FEE(S) Fees Paid (\$)									
Non-English Specification, \$130 fee (no small entity discount)									
Other (e.g., late filing surcharge): 1814 Statutory Disclaimer 130.00									
SUBMITTED BY						~			
Signature				Registration No. (Attorney/Agent)	35,701	Telephone	(214) 855-4795		
Name (Print/Type) Andre N	1. Szuwalski					Date	November 14, 2005		
				· .					
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I hereby certify that this co an envelope addressed to	rrespondence it : MS Amendme	s peing deposit int, Commissio	ner fo <u>r</u> 44	regulation Postal Ser Regulation P.O./ Box 1	yıcız witin sül 450, Alexan	g/fa, VA 22313	as First Class Mail, in 1450, on the date		
shown below.			All	11/2	11/				
Dated: November 14, 200	5	Signature:) Colle	1008 ((Margo Barb	arash)		
L			<u> </u>						



FEE SUMMARY SHEET Transmittal - Amendment

Date:

November 14, 2005

Time:

1:36 PM

Docket:

47171-00354USD1

Filing Date:

January 9, 2004

Application No:

10/755039

Total Fee:

\$ 130.00

Code Amount 37 CFR Fee Description

Listed on

1814

130.00

1.20(d) Statutory Disclaimer

Fee Transmittal (PTO SB-17)